

**MANDATE**

E.D.N.Y.  
 99-cv-3999  
 99-cv-7037  
 Weinstein, J.

**United States Court of Appeals**  
 FOR THE  
**SECOND CIRCUIT**

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, at Foley Square, in the City of New York, on the 3<sup>RD</sup> day of August Two Thousand and Four,

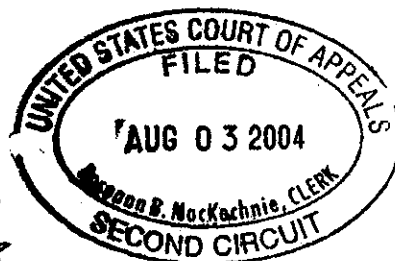
Present:

Hon. John M. Walker, Jr.,  
*Chief Judge,*  
 Hon. Barrington D. Parker, Jr.,  
 Hon. Richard C. Wesley,  
*Circuit Judges.*

**FILED**

IN CLERKS OFFICE  
 U.S. DISTRICT COURT ED. N.Y.

★ AUG 30 2004 ★



National Association for the Advancement of Colored  
 People, Inc.,

P.M. \_\_\_\_\_

TIME A.M. \_\_\_\_\_

Plaintiff-Appellee,

v.

03-9354-cv

A.A. Arms, Inc., *et al.*,

Defendants-Appellants,

The Appellee moves to dismiss the appeal. The Appellants move for summary disposition, requesting this Court to vacate the "unnecessary findings" within the district court's July 2003 order. Upon due consideration, it is ORDERED that the motion to dismiss is granted. *Allstate Ins. Co., v. A.A. McNamara & Sons, Inc.*, 1 F.3d 133, 137 (2d Cir. 1993); *In re DES Litig.*, 7 F.3d 20, 23-25 (2d Cir. 1993). It is FURTHER ORDERED that the motion for summary disposition is denied as moot.

FOR THE COURT:

Roseann B. MacKechnie, Clerk

By: *Lucille Carr*

SAOAT

A TRUE COPY  
 Roseann B. MacKechnie, CLERK

by *Sasha Libby*  
 DEPUTY CLERK

CERTIFIED

8/25/04